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17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN FRANCISCO DIVISION**
20

21 OWEN DIAZ,
22 Plaintiff,
23 v.
24 TESLA, INC. d/b/a TESLA MOTORS, INC.,
25 Defendant.
26
27
28

Case No. 3:17-cv-06748-WHO

**DECLARATION OF
DANIEL C. POSNER
IN SUPPORT OF DEFENDANT'S
RESPONSE TO PLAINTIFF'S NOTICE
OF NEW EVIDENCE**

Judge: Hon. William H. Orrick

DECLARATION OF DANIEL C. POSNER

I, Daniel C. Posner, hereby declare:

1. I am an attorney licensed to practice law in the State of California. I am an attorney with the firm of Quinn, Emanuel, Urquhart, & Sullivan, counsel for Defendant Tesla, Inc. (“Tesla”) in this matter. I have personal knowledge of the facts set forth in this declaration, and if called as a witness I could and would testify competently thereto.

2. I make this declaration in support of Tesla’s Response to Plaintiff’s Notice of New Evidence.

3. Attached hereto as **Exhibit A** is a true and correct unredacted copy of a document produced as TSLA(VGN)26869 in the matter of *Vaughn v. Tesla, Inc.*

4. Attached hereto as **Exhibit B** is a true and correct unredacted copy of a document produced as TSLA(VGN)27092 in the matter of *Vaughn v. Tesla, Inc.*

5. Attached hereto as **Exhibit C** is a true and correct unredacted copy of a document produced as TSLA(VGN)27095 in the matter of *Vaughn v. Tesla, Inc.*

6. Attached hereto as **Exhibit D** is a true and correct unredacted copy of a document produced as TSLA(VGN)26870 in the matter of *Vaughn v. Tesla, Inc.*

7. Attached hereto as **Exhibit E** is a true and correct unredacted copy of a document produced as TSLA(VGN)27094 in the matter of *Vaughn v. Tesla, Inc.*

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 15th day of August 2023 in Los Angeles, California.

/s/ Daniel C. Posner
Daniel C. Posner